IN THE SPECIFICATION

Please amend the specification as follows:

Page 1, line 5, after "INVENTION" insert the following new paragraph

--This application and copending application Serial No. 08/895,597 filed July 16, 1997, are each reissues of U.S. Patent No. 5,434,677, issued July 18, 1995.--

REMARKS

Claims 1-4, 6-8, and 15-20 are in this application.

A telephone conference was held on September 24, 2001 between Examiner Nguyen and Dennis Smid (one of the applicant's undersigned attorneys). The applicant and Mr. Smid wish to thank the Examiner for his time and consideration for such telephone conference.

The Examiner apparently asserted that the oath/declaration was defective because "one specific error with respect to the instant application" must be provided and the declaration does not state "all error being corrected arose without any deceptive" intent. It is respectfully submitted that the declaration submitted does indicate "one specific error" ---see paragraph 7(a) of the present declaration. It is also respectfully submitted that the declaration states "All of these errors arose without any deceptive intention on my part" ---see paragraph 12 of the present declaration. This matter was discussed with the Examiner during the September 24th telephone conference.

The Examiner has indicated that new formal drawings must be submitted. It is respectfully submitted that new formal drawings will be submitted upon the indication of the allowance of the present application.

The Examiner stated that the amendment to include a cross-reference "is improper because the subjected matter ... is not underlined." Such cross-reference has been added herein and has been underlined.

Claims 1 and 15 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 5 and 22 of the "copending reissue Application No. 08/845,357". It is believed that application No. 08/845,357 has issued as U.S. Patent No. 6,034,520 which is assigned to **Life Energy Industry Inc.** Please note that the present application is assigned to **Sony Corporation**. Accordingly, it is believed that the application number referred to in this rejection is incorrect. As such, a further response to this double patenting rejection is not provided.

Claims 1, 2, 15, and 16 were rejected under 35 U.S.C. 102(e) as being anticipated by Inoue et al. (5,446,552).

In explaining the above 102 rejection with regard to claims 1 and 15, the Examiner asserted that lines 45-50 of column 15 of Inoue discloses "l is a predetermined number depending to (sic) the head configuration or reading out rate".

Independent claim 1 recites in part the following:

> "a tape transportor for transporting said magnetic tape at a second speed equal to (m x n ± l) times said first speed, where n is an integer other than zero, and l has a predetermined value **depending upon the configuration of the heads**." (Underlining and bold added for emphasis.)

Independent claim 15 recites in part the following:

> "a tape transporter for transporting said magnetic tape at a fast playback speed equal to (m x n ± l) times said recording speed, where n is an integer other than zero, and l is a value **depending upon a data read-out rate**." (Underlining and bold added for emphasis.)

It is respectfully submitted that lines 45-50 of column 15 of Inoue (hereinafter merely "Inoue") do not disclose "l has a predetermined value depending upon the configuration of the heads" as in claim 1 and "l is a value depending upon a data read-out rate" as in claim 15. Instead, Inoue mentions a control means of a recording/reproducing apparatus which selects a traveling speed of a recording medium of "(N + ½ L) times a recording speed, N being equal to 0, +- 1, +-2, ..." wherein L apparently represents the number of channels of the recording/reproducing apparatus. (See, for example, lines 24-28 and 45-50 of column 15 of Inoue.) It is respectfully submitted that there is a substantial difference between "the configuration of the head" and "data read-out rate" as in the present claims and "number of channels" as in Inoue.

Accordingly, it is believed that independent claims 1 and 15 are distinguishable from Inoue.

Claims 2 and 16 are respectfully dependent from independent claims 1 and 15 and, due to such dependency, are also believed to be distinguishable from Inoue.

Claims 3, 4, 17, and 18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue in view of Okada (5,315,401). Claims 6-8, 19, and 20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue in view of Shimoda et al. (5,446,552).

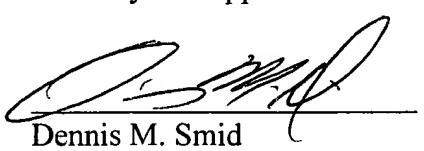
Claims 3, 4, 6-8, and 17-20 are dependent from one of independent claims 1 and 15 and, due to such dependency, are also believed to be distinguishable from Inoue. The Examiner apparently does not rely on either Okada or Shimoda to respectively overcome the above-described deficiencies of Inoue. Accordingly, it is believed that claims 3, 4, 17, and 18 are distinguishable over the applied combination of Inoue and Okada and that claims 6-8, 19, and 20 are distinguishable over the applied combination of Inoue and Shimoda.

Attached hereto is a marked-up version of the changes made to the application by the current amendment. The attached page is captioned **"Version with markings to show changes made."**

It is to be appreciated that the foregoing comments concerning the disclosures in the cited prior art represent the present opinions of the applicant's undersigned attorney and, in the event, that the Examiner disagrees with any such opinions, it is requested that the Examiner indicate where in the reference or references, there is the bases for a contrary view.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP
Attorneys for applicant

By: 
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